

INDIANA BOARD OF PHARMACY

**Indiana Professional Licensing Agency
Conference Center Room W064
402 W. Washington St.
Indianapolis, IN 46204**

MINUTES OF August 13, 2007

CALL TO ORDER & ESTABLISHMENT OF QUORUM

President and Presiding Officer Steve Anderson called the meeting to order at 9:04 a.m. in Conference Center Room W064 of the Indiana Government Center-South, 402 West Washington Street, Indianapolis, Indiana 46204, and declared a quorum, in accordance with IC § 25-26-13-3.

Board Members Present:

Steve Anderson, R.Ph., President
William Cover, R.Ph., Vice President
Del T. Fanning, R.Ph., Member
Donna Wall, PharmD., R.Ph, Member
Sara St. Angelo, PharmD, Member
Winnie Landis, R.Ph., Member
Anika Calloway, J.D., Member

Board Members Not Present:

State Officials Present:

Marty Allain, Board Director, Indiana Professional Licensing Agency
Amy M. Phillips, Assistant Board Director, Indiana Professional Licensing Agency
Gordon White, DAG, Advisory Counsel, Office of the Attorney General

ADOPTION OF AGENDA

A motion was made and seconded to adopt the agenda, as amended, including the addition of an Emergency Suspension Hearing for the pharmacy technician license of Paula S. Ashburn.

St. Angelo/Cover

Motion carried 6/0/0

ADOPTION OF MINUTES FROM July 9, 2007 MEETING OF THE BOARD

A motion was made and seconded to adopt the minutes of the July 9, 2007 meeting of the Board, as amended.

Landis/Cover

Motion carried 6/0/0

PERSONAL APPEARANCES

Anika Calloway, Board Member, in attendance as of 9:11 a.m.

Reports were given by the Compliance Officers.

Mary Ryan with Medco appeared before the Board regarding its potential business activity in Indiana.

Scott Morgan appeared before the Board regarding the disposal of drugs in Monroe and Owen counties.

Eric Pepperman and William Weber, R.Ph appeared before the Board regarding a positive response on his pharmacy technician application. A motion was made and seconded to approve his application.

Cover/Wall

Motion carried 7/0/0

A motion was made and seconded to file a consumer complaint against the PIC William Weber for allowing Eric Pepperman to work as a pharmacy technician without proper certification.

Fanning/Wall

Motion carried 7/0/0

Jillian Sentiere appeared before the Board regarding a positive response on her pharmacy technician application. A motion was made and seconded to table the application and requested a addictionology report and follow-up personal appearance.

Landis/Fanning

Motion carried 7/0/0

Staci Wynn appeared before the Board regarding a positive response on her pharmacy technician application. A motion was made and seconded to issue a probationary pharmacy technician license.

Wall/St. Angelo

Motion carried 7/0/0

A motion was made and seconded to file a consumer complaint against the PIC Douglas Gruen for allowing Staci Wynn to work as a pharmacy technician without proper certification.

Cover/Landis

Motion carried 7/0/0

Jeremy Elkins appeared before the Board regarding a positive response on his pharmacy intern application. A motion was made and seconded to issue a probationary pharmacist intern permit to Jeremy Elkins.

Cover/Wall

Motion carried 7/0/0

Matthew Bailey appeared before the Board regarding his pharmacist examination application. A motion was made and seconded to approve her pharmacist examination application.

Landis/Cover

Motion carried 7/0/0

Mark Miller appeared before the Board regarding positive response on a pharmacist application. A motion was made and seconded to approve the application.

St. Angelo/Landis

Motion carried 6/0/1 (Wall abstained)

A motion was made and seconded to approve the following remodel application:

Wm S Major Hospital Benesse Oncology Center 150 W Washington St Shelbyville, IN 46176	Remodel	June 4, 2007
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St. Angelo/Wall

Motion carried 7/0/0

Administrative Hearings started at 2:08 p.m. beginning with the following:

State of Indiana vs. Barney Dotson, R.Ph.

License No. 26014491A

Administrative Cause No. 2007 IBP 0010

Re: Extension of Summary Suspension

Parties and Counsel Present:

Mark Mader, Deputy Attorney General

Participating Board Members:

Fanning
Anderson
St. Angelo
Cover
Calloway
Wall
Landis

Case Summary:

State of Indiana seeks to extend the emergency summary suspension of Respondent's license.

Witnesses for the Respondent:

None

Witnesses for the State:

None

Board Action:

A motion was made and seconded to accept the agreement of the parties to extend the summary suspension of the Respondent's license until such time discipline of the Respondent's license occurs in Ohio.

Wall/Cover

Motion carried 7/0/0

State of Indiana vs. Greg Dodds, R.Ph.

License No. 26018437A

Administrative Cause No. 2002 IBP 0013

Re: Petition to Reinstate Suspended License

Parties and Counsel Present:

Mark Mader, Deputy Attorney General

Greg Dodds, Respondent

Bart McMahon, Respondent's counsel

Participating Board Members:

Fanning

Anderson

St. Angelo

Cover

Calloway

Wall

Landis

Witnesses for the Respondent:

Greg Dodds

Carl Erdmann

Witnesses for the State:

None

Case Summary:

Respondent filed a petition to withdraw suspension of his pharmacist license.

Board Action:

A motion was made and seconded to deny his petition to reinstate his suspended license.

Wall/Cover

Motion carried 6/1/0 (St. Angelo against)

State of Indiana vs. Daniel Weaver, R.Ph.

License No. 26013921A

Administrative Cause No. 2002 IBP 0026

Re: Default Hearing

Parties and Counsel Present:

Mark Mader, Deputy Attorney General

Daniel Weaver, Respondent

Participating Board Members:

Fanning

Anderson

St. Angelo

Cover

Calloway

Wall
Landis

Case Summary:

The State issued a Notice of Proposed Default. Respondent timely filed petition contesting Notice.

Board Action:

A motion was made and seconded to not hold Respondent in default.

Wall/Landis

Motion carried 7/0/0

State of Indiana vs. Katie Voltz, Technician-in-Training

Certification No. 99022819A

Administrative Cause No. 2007 IBP 0004

Re: Default Hearing

Parties and Counsel Present:

Mark Mader, Deputy Attorney General

Participating Board Members:

Wall

Fanning

Anderson

St. Angelo

Cover

Calloway

Landis

Case Summary:

A notice of proposed default was issued adverse the Respondent.

Witnesses for the Respondent:

None

Witnesses for the State:

None

Board Action:

A motion was made and seconded to hold the Respondent in default.

St. Angelo/Landis

Motion carried 7/0/0

A motion was made and seconded to revoke the Respondent's license.

St. Angelo/Cover

Motion carried 7/0/0

State of Indiana vs. Marie Moore, Pharmacy Technician

Certification No. 67006535A

Administrative Cause No. 2007 IBP 0006

Re: Default Hearing

Parties and Counsel Present:

Laura Wilford, Deputy Attorney General

Tom McGee, Certified Graduate Intern

Participating Board Members:

Wall
Fanning
Anderson
St. Angelo
Cover
Calloway
Landis

Case Summary:

A notice of proposed default was issued adverse the Respondent.

Witnesses for the Respondent:

None

Witnesses for the State:

None

Board Action:

A motion was made and seconded to hold the Respondent in default.

Wall/Calloway

Motion carried 7/0/0

A motion was made and seconded to revoke the Respondent's license.

St. Angelo/Cover

Motion carried 7/0/0

State of Indiana vs. Jessica Napier, Technician-in-Training

Certification No. 99025304A
Administrative Cause No. 2007 IBP 0008
Re: Extension of Summary Suspension

Parties and Counsel Present:

Laura Wilford, Deputy Attorney General
Tom McGee, Certified Graduate Intern

Participating Board Members:

Fanning
Anderson
St. Angelo
Cover
Calloway
Wall
Landis

Case Summary:

State of Indiana seeks an extension of the summary suspension for Respondent's license.

Witnesses for the Respondent:

None

Witnesses for the State:

None

Board Action:

A motion was made and seconded to extend the summary suspension for an additional ninety (90) days.

Cover/Landis

Motion carried 7/0/0

State of Indiana vs. Anne Idlewine, Pharmacy Technician

Certification No. 67000170A

Administrative Cause No. 2007 IBP 0003

Re: Extension of Summary Suspension

Parties and Counsel Present:

Mark Mader, Deputy Attorney General

Tom McGee, Certified Graduate Intern

Participating Board Members:

Fanning

Anderson

St. Angelo

Cover

Calloway

Wall

Landis

Case Summary:

State of Indiana seeks an extension of the summary suspension for Respondent's license.

Witnesses for the Respondent:

None

Witnesses for the State:

None

Board Action:

A motion was made and seconded to extend the summary suspension for an additional ninety (90) days.

St. Angelo/Cover

Motion carried 7/0/0

State of Indiana vs. Kathy Uebel, Pharmacy Technician

Certification No. 67000814A

Administrative Cause No. 2007 IBP 0011

Re: Extension of Summary Suspension

Parties and Counsel Present:

Mark Mader, Deputy Attorney General

Tom McGee, Certified Graduate Intern

Participating Board Members:

Fanning

Anderson

St. Angelo

Cover

Calloway

Wall

Landis

Case Summary:

State of Indiana seeks an extension of the summary suspension for Respondent's license.

Witnesses for the Respondent:

None

Witnesses for the State:

None

Board Action:

A motion was made and seconded to extend the summary suspension for an additional ninety (90) days.

Cover/Wall

Motion carried 7/0/0

State of Indiana vs. Kristina Perkinson, Pharmacy Technician

Certification No. 67000283A

Administrative Cause No. 2007 IBP 0012

Re: Extension of Summary Suspension

Parties and Counsel Present:

Mark Mader, Deputy Attorney General

Participating Board Members:

Fanning

Anderson

St. Angelo

Cover

Calloway

Wall

Landis

Case Summary:

State of Indiana seeks an extension of the summary suspension for Respondent's license.

Witnesses for the Respondent:

None

Witnesses for the State:

None

Board Action:

A motion was made and seconded to extend the summary suspension for an additional ninety (90) days.

Cover/Calloway

Motion carried 7/0/0

In the Matter of Paula Ashburn, Pharmacy Technician

Certification No. 670003335A

Administrative Cause No. 2007 IBP 00233

Re: Petition for Summary Suspension

Parties and Counsel Present:

Mark Mader, Deputy Attorney General

Participating Board Members:

Fanning

Anderson

St. Angelo

Cover

Calloway

Wall

Landis

Case Summary:

State of Indiana seeks a summary suspension of Respondent's license.

Witnesses for the Respondent:

None

Witnesses for the State:

None

Board Action:

A motion was made and seconded to extend the summary suspension for an additional ninety (90) days.

Cover/Wall

Motion carried 7/0/0

The Board approved the appearances of the following probationers:

Charles Lindstrom

St. Angelo/Wall

Motion carried 7/0/0

The Board approved the appearances of the following probationers:

Dennis Mock

Michael Long

Cover/Wall

Motion carried 7/0/0

The Board approved the appearances of the following probationers:

Gerry Bowman

Shelley Brown

Bruce Burch

Gregory Claretto

Robert Jaberg

Ronald Maze

George Moffat

Elaine Niese

Brian Overholser

Kevin Querry

Eric Spray

Steven Zehring

Fanning/Wall

Motion carried 7/0/0

Ashley Brown and Theresa Moore did not appear.

The Board approved the following new store applications, pending successful inspection:

<i>Store</i>	<i>Type</i>	<i>Opening</i>	<i>Received</i>
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Walgreen Co Dba Walgreens #10720 129 Clifty Dr Madison, IN 47240	VI	August 29, 2007	June 27, 2007
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Landis/Wall

Motion carried 7/0/0

A motion was made to table the following new store application and request a blueprint:

<i>Store</i>	<i>Type</i>	<i>Opening</i>	<i>Received</i>
Physicians Regional	II		

Landis/Wall

Motion carried 7/0/0

A motion was made and seconded to approve the following change of location/remodel applications:

New	Old	Received
Home Med Pharmacy 6210 Technology Center Dr Indianapolis, IN 46278	Remodel	July 23, 2007
Cardinal Health 7920 Georgetown Rd, Ste 100 Indianapolis, IN 46268	Remodel	June 29, 2007
Elkhart General Hospital Outpatient Pharmacy 600 E Blvd Elkhart, IN 46514	Remodel	July 27, 2007
March Drugs LLC #7329/823 1920 S Hoyt Ave Muncie, IN 47302	LoBill Pharmacy #7329/823 1900 Hoyt Ave Muncie, IN 47302	August 2, 2007

Landis/Wall

Motion carried 7/0/0

A motion was made and seconded to approve the following change of location/remodel applications:

Hook-SupeRx LLC Dba CVS/pharmacy #8643 1030 Arlington Ave Indianapolis, IN 46219	Remodel	August 7, 2007
Hook-SupeRx LLC Dba CVS/pharmacy #8642 2051 South Bend Ave South Bend, IN 46637	Remodel	August 2, 2007

Cover/Wall

Motion carried 7/0/0

A motion was made and seconded to approve the following change of ownership applications:

New	Old	Received
Scott's Pharmacy J-425 6310 E State Blvd Fort Wayn, IN 46815	Scott's Pharmacy	July 9, 2007
Scott's Pharmacy J-410 7008 Bluffton Rd Fort Wayne, IN 46809	Scott's Pharmacy	July 9, 2007
Scott's Pharmacy J-424 10230 Chestnut Plaza Dr Fort Wayne, IN 46814	Scott's Pharmacy	July 9, 2007
Scott's Pharmacy J-402 496 W Plaza Dr Columbia City, IN 46725	Scott's Pharmacy	July 9, 2007
Scott's Pharmacy J-412 1125 W State Blvd Fort Wayne, IN 46808	Scott's Pharmacy	July 9, 2007
Scott's Pharmacy J-416 5725 Coventry Lane Fort Wayne, IN 46804	Scott's Pharmacy	July 9, 2007
Scott's Pharmacy J-415 4522 Maplecrest Rd Fort Wayne, IN 46835	Scott's Pharmacy	July 9, 2007
Scott's Pharmacy J-404 5300 Decatur Rd Fort Wayne, IN 46806	Scott's Pharmacy	July 9, 2007

Cover/Landis

Motion carried 7/0/0

A motion was made and seconded to table the following change of ownership applications pending receipt of qualifying pharmacists:

Walgreen Co. Dba Walgreens #12055 501 Broad Street New Castle, IN 47362	Cardinal Healthcare Pharmacy	August 13, 2007
Walgreen Co. Dba Walgreens #12055 499 Broad Street New Castle, IN 47362	Cardinal Compounding Pharmacy PC	August 13, 2007

St. Angelo/Wall

Motion carried 7/0/0

A motion was made and seconded to approve the following pharmacist applications:

Vytautas Damasius—Positive Response

St. Angelo/Cover

Motion carried 7/0/0

A motion was made and seconded to approve the following pharmacist intern application:

Michelle Wannemuehler—Positive Response

Cover/Wall

Motion carried 7/0/0

A motion was made and seconded to request a personal appearance for Angela Flamion.

St. Angelo/Calloway

Motion carried 7/0/0

A motion was made and seconded to allow Katherine Miller to take the MPJE.

St. Angelo/Wall

Motion carried 7/0/0

A motion was made and second to approve David Grout (KS) pending the receipt of a proper photo.

Wall/Cover

Motion carried 7/0/0

A motion was made and seconded to approve the following licensure transfers:

George Weber	(IL)
Eric Hizer	(OH)
Gregory Daniels	(IL)
Kellie Jones	(KY)
Jeffery Butcher	(OH)
Christi Lander	(KY)
Kevin Boyd	(FL)
Chad Downing	(KY)
Tiffany Self	(KY)
William Boerger	(MD)
Eghe Igbinovia	(NV)
Marinda Howard	(TX)
Stephanie Diersing	(OH)

Wall/Landis

Motion carried 7/0/0

A motion was made and seconded to approve the following continuing education applications:

Ann Yates	(6-1hr)
Jennifer Shobert	(6)
Tracy Bottorff	(0.5)
Erin Powell	(5-1hr)
Robin Matejcek	(6)
Elkhart County	(1)

Anderson/St. Angelo

Motion carried 7/0/0

A motion was made and seconded to table the following continuing education application:

Laura Medow	(1) – Needs 3 Learning Objectives
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Anderson/Cover

Motion carried 7/0/0

A motion was made and seconded to approve the following pharmacy technician applications:

Erica Lampton
William Blake
Jared Halbig
Lindsay Minniear
Karen Garnes
Noel Campes
Andriana Telez

Fanning/Cover

Motion carried 7/0/0

A motion was made and seconded to request a personal appearance for the following:

Brecquelyn Burkhammer
Amanda Back
Robert Branch

Fanning/Cover

Motion carried 7/0/0

A motion was made and seconded to approve the following pharmacy technician application:

Aleshia Howe

Fanning/Wall

Motion carried 7/0/0

A motion was made and seconded to approve the following pharmacy technician requests for second technician-in-training permits:

Susan Clapsaddle
Kimberly Hunley

Fanning/Wall

Motion carried 7/0/0

A motion was made and seconded to approve the following wholesale drug distributor application:

The Medicines Company

St. Angelo/Cover

Motion carried 7/0/0

A motion was made and seconded to approve the following HME Provider applications pending inspection:

Apothecary Services Inc
Advanced Medical Specialties LLC
Allied Home Medical Inc
Alpha Home Medical Supply

Anderson/Wall

Motion carried 7/0/0

MISCELLANEOUS

Board Director Report

Compliance Officer Requests in the Pharmacy

NABP News Release

Automated Prescription Dispenser at Community Health Network

OLD/NEW BUSINESS

A motion was made and seconded to re-adopt rules for LSA Document #07-60.

St. Angelo/Landis

Motion carried 7/0/0

Medicaid Fraud Control Unit Investigation

A motion was made and seconded to file consumer complaints adverse individuals listed in information received from MFCU.

St. Angelo/Landis

Motion carried 7/0/0

The meeting adjourned at 5:23 p.m.

Steve Anderson, R.Ph., President
Indiana Board of Pharmacy

Date

Next Scheduled Meeting:

Monday, September 10, 2007
Indiana Professional Licensing Agency
Conference Room W064